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Notice of Allowability

Application No.	10/796,770
Examiner	R. Alexander Smith

Applicant(s)	SONES, TODD S.
Art Unit	2859

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to a telephonic conversation with Mr. Steadman, Sr. on July 1, 2004.
2. The allowed claim(s) is/are 7-9.
3. The drawings filed on _____ are accepted by the Examiner.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some* c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 1) hereto or 2) to Paper No./Mail Date _____.
(b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of
 Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
 Paper No./Mail Date 20040309
4. Examiner's Comment Regarding Requirement for Deposit
 of Biological Material
5. Notice of Informal Patent Application (PTO-152)
6. Interview Summary (PTO-413),
 Paper No./Mail Date _____.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Lewis T. Steadman, Sr. on July 1, 2004.

3. The application has been amended as follows:

Claim 7 and 8 have been replaced by the following:

7. A measuring apparatus for determining appropriate putter length for fitting a golf putter club to a golfer, said apparatus comprising:
 - a grip,
 - a vertical, adjustable rod supported by said grip with an axis of said grip at an angle to the rod and representing a length A from an upper end of the grip to the ground,
 - a horizontal beam extending from the rod and located adjacent the ground for indicating a distance B from a point directly below the upper end of the grip to a

predetermined point on the horizontal beam, said predetermined point aligned with the axis of said grip,

said vertical rod and said horizontal beam including scales directly reading the lengths A and B after adjustment of the apparatus.

8. Apparatus according to claim 7 wherein said grip is adjustably pivoted about an upper end of the vertical rod and the length of said horizontal beam is adjustable relative to the vertical rod to reflect a change in the angle between the grip and vertical rod.

A new claim 9 has been added as follows:

9. Apparatus according to claim 7 wherein said predetermined point is at an edge of a golf ball positioned adjacent said horizontal beam.

In the specification:

The title has been changed from "Method of golf putter fitting" to --Apparatus for golf putter fitting--.

On page 4 in the last line on the page "; and" has been replaced by --.--.

In the drawings: The following changes to the drawings have been approved by the examiner and agreed upon by the applicant. In order to avoid **ABANDONMENT** of the application, the applicant must make the following agreed upon drawing changes.

- (a) The proposed change to the horizontal rod 42 of figure 3 as submitted by Applicant on March 9, 2003, and
- (b) In figure 3, the numbers 30 through 35 for the scale shown on the vertical rod are to be reversed so that the smaller number 30 is located toward the top of the rod and 35 is located toward the bottom of the rod. For (a) and (b), see the attached drawing.

Reasons for Allowance

4. The following is an examiner's statement of reasons for allowance of claims 7-9.

For independent claim 7, the prior art of record does not disclose or clearly suggest a measuring apparatus having a vertical, adjustable rod supported by a grip with an axis of said grip at an angle to the rod and a horizontal beam extending from the rod and located adjacent the ground having a predetermined point on the horizontal beam that is aligned with the axis of said grip in combination with the remaining limitations of the claims.

Claims 8 and 9 are allowed due to their dependency on allowed claim 7.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. The prior art made of record is considered pertinent to Applicant's disclosure. The prior art cited in PTO-892 disclose related apparatus.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to R. Alexander Smith whose telephone number is 571-272-2251. The examiner can normally be reached on Monday through Friday from 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego F. Gutierrez can be reached on 571-272-2245. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2859

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Diego Gutierrez
Supervisory Patent Examiner
Technology Center 2800

RAS
July 1, 2004

CHRISTOPHER W. FULTON
PRIMARY EXAMINER